

# Battery Council International



04-19-04 P02:

## WASHINGTON OFFICE

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April 16, 2004

### Via Electronic Mail

Amy Mills, Program Director  
National Center for Environmental Assessment  
Office of Research and Development  
U.S. Environmental Protection Agency  
c/o EPA Docket Center, EPA West, Room B102  
1301 Constitution Avenue, N.W.  
Washington, D.C. 20460

Re: Integrated Risk Information System (IRIS); Announcement of 2004  
Program; Request for Information; Docket ID number ORD-2003-0016

Dear Ms. Mills:

These comments from the Battery Council International (BCI) respond to EPA's February 9, 2004, Federal Register notice calling for scientific information to update the Integrated Risk Information System (IRIS) health assessment profile on lead. *See* 69 Fed. Reg. 5971.

### **1. BCI Background**

BCI is a non-profit trade association whose members are engaged in the manufacture, distribution and reclamation of lead batteries. BCI members account for over 98 percent of the U.S. lead battery production and 80 percent of its recycling capacity (*i.e.*, secondary lead smelting). Our industry promotes lead acid battery recycling by collecting and recycling lead batteries, encouraging the enactment of mandatory recycling laws, and supporting ongoing consumer education efforts.

Over the five-year period from 1997 to 2001, the U.S. recycling rate for lead from lead-acid batteries was 97.1%.<sup>1</sup> We believe this is the highest recycle rate of any product in the country.

## **2. Discussion**

EPA states that it is particularly interested in scientific information pertaining to Resource Conservation & Recovery Act (RCRA) and Superfund (CERCLA) site cleanup, therefore, much of the data we are providing speaks to this issue. The documents themselves are discussed and listed below.

A study published last month by the Solid Waste Association of North America (SWANA) is a good example of information EPA should be considering for addition to the IRIS database.<sup>2</sup> (Item 1 below.) This study analyzes the behavior of heavy metals in municipal solid waste landfills. It shows that the levels of heavy metals found in landfill leachate and gas are generally far below standards developed to be protective of human health and the environment. Earlier studies on this issue were conducted in 1991 and 2002. (Items 2 and 3.) Also important are recent studies that analyze: the relative contributions of lead paint, yard soil, and a lead mining waste superfund site to lead in house dust (Item 4); and the effectiveness of soil abatement in reducing children's blood lead levels. (Items 5 and 6.)

As well, the carcinogenicity assessment references for lead on the IRIS database require updating. Of particular concern to BCI, the 1985 study on cancer mortality at lead battery plants and lead smelters should be replaced with a new study on the same issue that was published in the American Journal of Industrial Medicine in 2000. (Item 7.) Of course, recent decisions pertaining to lead by the National Toxicology Program (NTP) and International Agency for Research on Cancer (IARC) are known to EPA. The NTP Board Subcommittee recently voted to reject classification of lead as a "known

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<sup>1</sup> Smith, Bucklin and Associates, Inc., BCI National Recycling Rate Study (July 2003). The plastic battery casings also are recovered and processed into raw material for new products.

<sup>2</sup> For the record, BCI does not agree with SWANA's estimate of the quantity of lead-acid batteries that is discarded each year as municipal solid waste.

human carcinogen" and recommended instead the "reasonably anticipated human carcinogen" designation (for the forthcoming 11th Report on Carcinogens). Similarly, at a February 2004 meeting convened to re-evaluate the potential carcinogenic hazards to humans from lead, IARC voted to classify inorganic lead as "probably carcinogenic to humans" (Group 2A).<sup>3</sup>

Another issue meriting reconsideration is IRIS' appraisal of the toxicity of inorganic lead on the basis of the determination, made by EPA in 1985, that no oral reference dose (RfD) can be established for lead because there is no threshold below which no human health effects are experienced. In fact, this premise is incorrect, as explained in Item 8, "BCI's Petition for the Modification of EPA's Regulations Governing the Hazard Ranking System (HRS) for Lead." It was filed with the Agency on January 8, 1998, in association with a report by Gradient Corporation (Item 9).

Finally, as part of the Voluntary Lead Risk Assessment for the European Union, the International Lead Zinc Research Organization (ILZRO) and EBRC Consulting GmbH are in the process of preparing a report on lead health effects and exposure. It is being prepared under contract to the Eurometaux Lead Risk Assessment Working Group. Contact information for this project is attached. (Item 10.)

### **3. Information Submission**

All of the studies, reports and other information that BCI is submitting for updating the IRIS health assessment profile for lead are attached and listed below:

1. Solid Waste Association of North America Applied Research Foundation. The Effectiveness of Municipal Solid Waste Landfills in Controlling Releases of Heavy Metals to the Environment. Silver Spring, MD: SWANA, March 2004, p. 8.
2. Industrial Economics, Incorporated. Potential Human Exposures from Lead In Municipal Solid Waste. Cambridge, MA: Lead Industries Association, Inc., May 1991, p. 3-25.
3. Ferguson EL and McBride M (2002). Lead-Contaminated Soil Disposal In Non-Hazardous Waste Landfills – Groundwater Effects and Policy Implications. Journal of Solid Waste Technology and Management, Vol. 28, No. 1, pp. 21-27.

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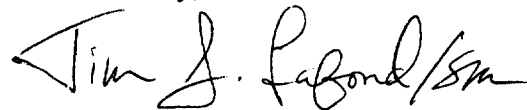
<sup>3</sup> Lead had previously been classified by IARC as "possibly carcinogenic to humans" (Group 2B).

4. Sterling DA, Johnson DL, Murgueytio AM, and Evans RG (1998). Source Contribution of Lead in House Dust From a Lead Mining Waste Superfund Site. *Journal of Exposure Analysis and Environmental Epidemiology*, Vol. 8, No. 3, pp. 359-373.
5. Crump K. (1997). Evaluation of the Boston Study of Effectiveness of Soil Abatement in Reducing Children's Blood Lead, with Particular Emphasis Upon the EPA (1996) Reevaluation. ICF Kaiser. 38 pp.
6. Langlois P, Smith L, Fleming S, Gould R, Goel V, and Gibson B. (1996). Blood Lead Levels in Toronto Children and Abatement of Lead-Contaminated Soil and House Dust. *Archives of Environmental Health*, Vol. 51, Iss. 1 (Jan/Feb 1996), pg. 59, 9 pgs.
7. Wong W. and Harris F. (2000). Cancer Mortality Study of Employees at Lead Battery Plants and Lead Smelters, 1947-1995. *American Journal of Industrial Medicine*, 38:255-270.
8. BCI's Petition for the Modification of EPA's Regulations Governing the Hazard Ranking System (HRS) for Lead.
9. Gradient Corporation. A Critical Evaluation of U.S. EPA's Hazard Ranking System Score Calculated for Lead. January 1998.
10. Contact information for the Voluntary Lead Risk Assessment project for the European Union.

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BCI appreciates the opportunity to provide this information to the Agency for purposes of updating the IRIS database for lead. If you have any questions or require further information, please contact Ms. Saskia Mooney at 202-383-7350.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tim J. Lafond/SM". The signature is stylized with a large, sweeping initial "T" and a cursive "Lafond".

Timothy J. Lafond, P.E.  
Chair, Environmental Committee

Attachments